you to provide more funds for this field because the development of the country depends on the science, as Shri C.V. Raman said.

SHRI KAPIL SIBAL: Sir, I have a small request. There is a Calling Attention Motion which has been submitted. Let a discussion take place next week, and then, let the House know what is needed and the House can unanimously, on a consensus basis, give the direction to the nation as to where science must go in this country.

SHRI C. RAMACHANDRAIAH: Sir, my supplementary is...

MR. CHAIRMAN: There is no need of any supplementary now; let the motion come. Next Question.

*169. [The questioner (Shri Ramadhar Kashyap) was absent. for answer *vide* page 40 infra.]

MMS clips

*170. SHRI DATTA MEGHE: Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

(a) whether Government are aware of the fact that instances of titillating MMS clips have been on the rise;

(b) if so, the details thereof;

(c) whether the technology in the area of electronic communication has developed to such an extent that it is capable of being misused and abused;

(d) whether there is any legislation to deal with the abuse of electronic data which has been doctored;

(e) whether Government propose to suitably amend the Information Technology Act of 2000 to deal with the day-to-day problems of offensive electronic messages; and

(f) if so, the details thereof?

THE MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI DAYANIDHI MARAN): (a) to (f) A Statement is laid on the Table of the House.

Statement

(a) and (b) Government does not directly regulate such activities. However, it is aware of the recent media reports in this regard.

(c) Technology development is an ongoing process for the benefit of the society. Its use or misuse largely depends on the person using the technology.

(d) IT Act provides a legal recongnition for transactions carried out by means of electronic data interchange and other means of electronic communication which involves the use at alternatives to paper based methods of communication and storage of information. This means any electronic data/record is recognized as a document within the ambit of Indian laws. All the laws of the land which are applicable for abuse at paper document which has been doctored gets, applicable to the abuse of electronic data which has been doctored. Nevertheless, Sec 67 of IT Act provides a specific provision for Publishing of Information which is obscene in electronic form.

(e) and (f) An Expert Committee has been set up to revisit the IT Act 2000 and introduce amendments, if required.

श्री दत्ता मेघे: सभापति महोदय, आज सूचना और प्रौद्योगिकी के क्षेत्र में भारत बहुत आगे निकल गया है, इतना आगे निकल गया है कि विकृत मन:स्थिति के लोग मोबाइल फोन पर उत्तेजित और अश्लील MMS जिसे चाहे करते हैं। यह जो अश्लीलता खास तौर से स्टूडेंट कम्युनिटी में आई है, इसके लिए जो कानून है, उसके अंतर्गत आप कार्यवाही क्यों नहीं करते हैं? आज स्टूडेंट्स में बड़े पैमाने पर अश्लीलता फैल रही है। आपने उत्तर में जो लिखा है, इसको रोकने लिए सूचना और प्रौद्योगिकी अधिनियम की धारा 67 के अंतर्गत कोई कार्यवाही क्यों नहीं हो रही है, यह मेरा पहला प्रश्न है।

SHRI DAYANIDHI MARAN: Sir, through you, I would like to answer the hon. Members that in India we are in that stage of telecom revolution where we are adding about 2 to 2.2 million telephones a month. Even, at this stage, where we have got 103 million telephones in India, our tele-density is only about 9.7 per cent. We are still lagging behind many developed nations and we are aggressively trying to reach our targets.

SHRI NILOTPAL BASU: Perhaps, you mean to say developing nations...(*Interruptions*).... You said developed nations, I said, developing nations.

SHRI DAYANIDHI MARAN: Yes, developing nations. Sir, on this point, I would like to say that any new technology is brought into the country with the sole aim of people utilising and getting benefit out of it. But, Sir, it always happens that whenever any new technology comes, it also gets abused. Sir, as I have mentioned in my statement, the Government is not

directly related as to how a message is sent. Even with regard to the e-mails, which the terrorists send, the Government cannot keep monitoring and blocking all these messages. These are done by some unscrupulous people who are trying to do this. Sir, the local laws, the State Government laws are the ones that added to these crimes. Again, Sir, as I said earlier, in this MMS case, there are so many messages which I have not got the privy to see them, I have only read in the newspapers, I feel that Section 509 of the IPC is very much capable of handling this, but no one has come forward to even make a complaint on this issue, and, even the State Government cannot take any action unless the person does not come forward and complain.

श्री दत्ता मेघे: सर, धारा 67 के अंतर्गत इलेक्ट्रानिक में जो अश्लील सूचनाओं वाले प्रावधान हैं, एक भी स्टेट गवर्नमेंट उस प्रावधान का उपयोग क्यों नहीं कर रही है? यह मेरा पहला क्वैश्चन है, दूसरे मैं मंत्री जी से पूछना चाहता हूं कि 2000 के एक्ट में यदि संशोधन आवश्यक हो तो क्या आप उस के लिए प्रस्ताव करेंगे? फिर आप ने एक विशेष समिति का गठन किया और आप के पास विशेष समिति की रिपोर्ट आ गयी है, उस समिति की रिपोर्ट का implementation आप कब तक करेंगे?

SHRI DAYANIDHI MARAN: Sir, I agree that Section 67 of the IT Act does deal with it. Again, it is for the State Government to take action and we cannot motivate the State Government to take action. I think, the Member himself should make a proper legal complain in the State where he feels such abuses are taking place, and, definitely, Sir, the new IT Act is looking into all these issue. Sir, I am sure, within three to four weeks' time, we will be coming out with proposed changes.

SHRI ASHWANI KUMAR: Sir, the question really concerns itself with the classic case of a lag between law and technological development. Sir, it is now widely recognised that the IT Act falls short of the leaps in the technology, and, if the law is intended to address itself to the problems or to the advancement in the IT technology, it has to take cognisance in a very meaningful way of where the technology is proceeding. It is not enough for the hon. Member to say that there is no formal complaint. We are now in the realm of public law. If an offensive message through a public media is sent, it is for the State Government and the Central Government itself to take action to ensure that the technology is not misused and is against public interest. I would, therefore, like the Minister to tell us as to what are the specific amendments in the IT Act that are being envisaged to cover this aspect of the problem.

SHRI DAYANIDHI MARAN: Sir, to answer the hon. Member, through you, I would like to say that the IT Act complements the existing laws of the country. The IT Act is not a special Act. I know the hon. Member himself is a lawyer, he is a senior lawyer and I would not like to argue with him in this case. But I would like to say that the IT Act is supposed to complement and to give the law enforcers a clear view as to what is electronic data, how is it abused; to give them a view as to how to use the developing technologies and how are they abused. Sir, as I said earlier in reply to a question put by the hon. Member, Shri Jairam Ramesh, I would be happy to give the details to the hon. Members.

* 171. [The questioner (Shrimati Hema Malini) was absent. For answer *vide* page 40.]

Flat rate for telecom sector

*172. SHRI NILOTPAL BASU: Will the Minister of COMMUNICATIONS AND INFORMATION TECHNOLOGY be pleased to state:

(a) whether it is a fact that Government are contemplating a flat rate for the whole country for telecom tariff;

(b) if so, the impact of this on local calls and long distance calls;

(c) whether it is a fact that the long distance calls in India are one of the cheapest in the world;

(d) if not the comparative rates elsewhere; and

(e) the possible impact of flat rate on excessive deficit charges?

THE MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (SHRI DAYANIDHI MARAN): (a) to (e) A Statement is laid on the Table of the House.

Statement

(a) and (b) While the Government is working towards One India Call rate, the proposed measure is at the initial stage. Therefore its impact on local call and long distance call rates cannot be determined at this stage.

(c) and (d) The service providers are offering various tariff plans for their subscribers and these plans vary in terms of combination of monthly rentals, call charges and free call allowance etc. International comparison of tariff for telecom services and pulse rate for such services is rendered difficult and may not be realistic because of many tariff packages, varying